

Remarks / Arguments

Claims 1- 24 are pending. Claims 1, 3, 5, 6, 8, 12, 13 and 16 have been amended. Claims 22 and 24 are new claims. Please charge \$150.00 to the deposit account (50-1212 Ref. No. 10404717) of the undersigned for one additional independent claim and two additional dependent claims (Fee code 1204/2204 1.16(h) Reissue independent claims in excess of three \$100.00 and Fee Code 1205/2205 1.16(i) Reissue claims in excess of twenty \$25.00).

1. Offer to Surrender Original Patent

The Original Patent will be surrendered prior to allowance.

2. Information Disclosure Statement

Gesche et al. (3,224,287) was contained in the information disclosure statement filed 04-08-2004. The returned IDS includes the Examiner's initials next to Gesche et al. and Gesche et al. was utilized in rejections of the claims. At the same time, the Office action states that "the information referred to therein has not been considered as to the merits." As the Examiner has utilized Gesche et al. in the rejection of the claims, it is submitted that, at least with regard to Gesche et al., the IDS filed on 04-08-2004 was accepted. Alternatively, Gesche et al. should have been included in PTO-892 Notice of Referenced Cited. Clarification of the status of Gesche et al. is requested.

3. Specification

The paragraph beginning at the bottom of column 4 has been amended to correct informalities.

4. Claim Rejection 35 U.S.C. §112

Claim 3 was rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, and for being incomplete. Claim 3 has been amended.

5. Claim Rejection 35 U.S.C. §102

Claim 17 was rejected under 35 U.S.C. § 102 as being anticipated by Togami et al.

Anticipation can be found only if a reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985). A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. M.P.E.P. §2131.

Togami et al. does not anticipate the invention of claim 17 as Togami et al. does not expressly or inherently describe a cam follower roller bearing including "a roller journaled thereto having a radiused or crested surface that contacts one of said sloping cam tracks, to roll therealong..." See, lines 18-23 of claim 17. Reconsideration of the rejection of this claim is solicited.

6. Claim Rejection 35 U.S.C. §103

Claims 1-9, 11 and 13-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Marier in view of Togami et al.

Claims 2, 3, 9-10, 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Marier in view of Togami et al. as applied to claim 1 and further in view of Gesche et al.

Claims 18-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Togami et al. in view of Gesche et al.

Claim 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Togami et al. in view of Mairer.

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Independent claims 1, 8 and 13 have been amended to include the limitations of a plurality of connectors for securing the carrier and with each connector being spaced away from the center of the lower pulley half and projecting through a hole or opening formed in the upper

pulley half. It is submitted that not all of the limitations of the claimed inventions are taught or suggested by any combinations of Marier, Togami and Gesche.

Marier '429 does not disclose a cylindrical cam cones means maintained to extend outwardly from the upper pulley half and defining a plurality of right triangle cam sections. Element 16 of Marier '429 is secured and maintained relative to the lower pulley half by connectors 21 (*See, Fig. 2*) and moves relative to the upper pulley half 6f. Additionally, neither Marier '429 nor Togami disclose or suggest a plurality of connectors for securing the carrier to the lower pulley half and with each connector being spaced away from the center of the lower pulley half and projecting through a hole or opening formed in the upper pulley half.

Claim 5 and 6 has been amended to include the limitations of claim 1. Regarding claim 5, the combination of Marier and Togami et al., would fail to teach or suggest a plurality of equally spaced piers that each include rods extending axially out of the top ends thereof, which said piers are each secured, at their lower ends, to the lower pulley half, and are each radially equidistant from the center of said lower pulley half and will project at right angles through holes formed in the upper pulley half, with ends of said rods secured to said carrier means at approximately right angles to the undersurface thereof.

Regarding claim 6, the combination of Marier and Togami et al. would fail to teach or suggest spaced holes formed through the carrier means that are identical arcuate slots, are spaced equally from one another, at equal radial distances from the carrier means and are aligned for receiving the right triangle cam sections fitted therein.

7. Changes to the new claims:

Claim 8: Added language: "said connector means including a plurality of connectors, each connector being spaced away from the center of said lower pulley half and projecting through an opening formed in the upper pulley half" Lines 12 – 15.

Support for change: Fig 2 and column 5.

Claim 12: Changed "means for connecting the carrier means to the lower pulley half are" to "the connectors include" Lines 2-3.

Changed "holes" to "openings" Line 6.

Support for changes: Fig 2 and columns 5-6.

Claim 13: changed "connector" to "plurality of connectors" Line 12.

added language "each connector being spaced away from the center of said lower pulley half and projecting through an opening formed in the upper pulley half" Lines 12 - 14.

Support for changes: Fig 2 and columns 5-6.

Claim 16: changed "connector includes" to "connectors include" Line 2

Changed "holes" to "the openings" Line 6

Support for changes: Fig 2 and columns 5-6.

8. Double Patenting Rejection

Claims 1-21 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-9 of U.S. Patent No. 5,516,333. In response to this double patenting rejection, a terminal disclaimer is attached to this amendment. Please charge the terminal disclaimer fee under 37 CFR 1.20(d) to Deposit Account of the undersigned #50-1212(10404717).

9. Request for Reconsideration and Allowance

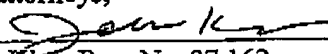
Based upon the above Amendments and Remarks, claims 1-24 are believed to be in proper form for allowance, and patentable over the prior art made of record. Applicant respectfully requests reconsideration of those claims and a prompt Notice of Allowance thereon.

Please direct any questions or comments regarding this application to John F. Klos at (612) 321-2806.

Respectfully submitted,

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by his attorneys,

Dated this July 21, 2005


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